

William J. Smith (WJS-9137)  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

IN RE: WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

X

JAMES HIGGINS

v.

AMERICAN EXPRESS BANK, LTD, ET. AL.,

**NOTICE OF THE  
BROOKFIELD  
PARTIES' ADOPTION  
OF AMENDED ANSWER  
TO MASTER  
COMPLAINT**

CASE NUMBER: (AKH)  
07 CV 5395

X

PLEASE TAKE NOTICE THAT Defendants BFP Tower C Co. LLC, BFP Tower C MM LLC, and WFP Retail Co. L.P. (collectively the "Brookfield Parties"), as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt the Brookfield Parties' Amended Answer to Master Complaint, dated October 16, 2007, which was filed in the matter of *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the Brookfield Parties demand judgment dismissing the above captioned action as against each of them, together with their cost and disbursements.

Dated: New York, New York  
January 31 2008

Faust, Goetz, Schenker & Blee, LLP

By WJS William J. Smith (WJS-9137)  
Attorneys for the Brookfield Parties  
Two Rector Street, 20<sup>th</sup> Floor  
New York, NY 10006  
(212) 363-6900